

Atty. Docket No. YOR920000440US1  
(590.024)

**REMARKS**

The fact that July 5, 2004, was a Federal Holiday ensures that this paper is timely filed as of today, July 6, 2004, the next succeeding business day.

In the Office Action dated April 5, 2004, pending Claims 1-8, 10-22, and 26-30 were rejected and the rejection made final; claims 1 and 12 are independent claims, the remaining claims are dependent claims. Applicants have filed herewith a Request for Continued Examination and have amended independent Claims 1 and 12. Independent Claim 23 and dependent claims 24-25 were indicated as being allowable; presumably they continue to be allowable.

Applicants and the undersigned are most grateful for the time and effort accorded the instant application by the Examiner. On June 8, 2004, Applicants' counsel participated in a telephone interview with the Examiner in which Claims 1 and 12 and the Zhang et al. reference were discussed. No agreement was reached with respect to the claims.

Claims 1-8, 10-22, and 26-30 stand rejected under 35 U.S.C. 112, first paragraph, the Office asserting the specification does not reasonably provide enablement for at least one bent element having a fully intact buffer layer and including a bending radius of less than about 2.5 mm. Independent Claims 1 and 12 have been rewritten to remove the reference to a "fully intact buffer layer" and now recite a "continuous fiber having a constant core diameter". It is respectfully submitted support for this phrase is found in the specification as a constant core diameter is an inherent feature of standard optical

Atty. Docket No. YOR920000440US1  
(590.024)

fiber and is consistent with the use of the term fiber in the specification. Applicants intend no change in the scope of the claims by the changes made by this amendment. It should also be noted these amendments are not in acquiescence of the Office's position on allowability of the claims, but merely to expedite prosecution.

Zhang et al. does not disclose or teach a "continuous fiber having a constant core diameter" as is presently recited in Independent Claims 1 and 12. Zhang et al. teaches cutting a fiber and splicing in a high NA fiber segment, which is then bent. Furthermore, the core of the high NA fiber segment is expanded at each end of the segment to match the diameter of the other fiber segments. See Fig. 2 and Col. 6, lines 42-47. Zhang et al. thus inserts a special fiber segment with a smaller core diameter to facilitate obtaining the desired bend radius. This contrasts with the present invention wherein the desired bending radius is obtained using a "continuous fiber having a constant core diameter".

In view of the foregoing, it is respectfully submitted that Claims 1 and 12 are allowable. By virtue of dependence from Claims 1 and 12, it is thus also submitted that Claims 2-8, 10, 11, 13-22, and 26-30 are also allowable at this juncture. Claims 23-25 have previously been indicated to be allowable.

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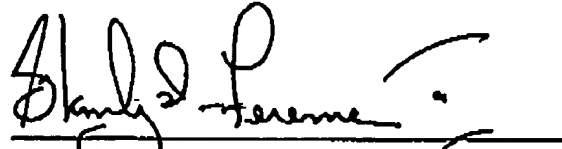
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In summary, it is respectfully submitted that the instant application, including Claims 1-8 and 10-30, is presently in condition for allowance. Notice to the effect is hereby earnestly solicited. If there are any further issues in this application, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Stanley D. Ference III", is written over a horizontal line.

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